

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARVIN DESHAWN WHETSTONE,
a/k/a “Shawn,”

Defendant.

INDICTMENT

_____/

The Grand Jury charges:

COUNT 1
(Conspiracy)

Between approximately July 2019 and December 2021, in Kent County, in the Western District of Michigan, Southern Division, and elsewhere, the defendant,

MARVIN DESHAWN WHETSTONE,
a/k/a “Shawn,”

willfully and knowingly combined, conspired, confederated, and agreed with K.B. and with others, known and unknown, to steal and convert to their own use and the use of others more than \$1,000 worth of postage stamps belonging to the United States Postal Service, an agency of the United States, contrary to 18 U.S.C. § 641, to engage in a wire fraud scheme, contrary to 18 U.S.C. § 1343, and to engage in a mail fraud scheme, contrary to 18 U.S.C. § 1341.

OBJECTS OF THE CONSPIRACY

WHETSTONE and K.B. established the following objects for the conspiracy:

1. To purchase goods from retailers and stamps from U.S. Post Offices for the personal use of the co-conspirators, or for resale to third parties, using checks drawn on bank accounts containing insufficient funds; and
2. To steal and convert to their own use more than \$1,000 worth of postage stamps belonging to the United States Postal Service, an agency of the United States, contrary to 18 U.S.C. § 641.

MANNER AND MEANS

3. From in or around July 2019 to in or around December 2021, WHETSTONE purchased, and directed others to purchase, stamps from U.S. Post Offices and goods from retailers located in Michigan and Illinois using checks drawn on bank accounts containing insufficient funds. He and K.B. then sold the goods and stamps to third parties for cash. The retailers and U.S. Postal Service suffered losses when the checks were returned as unpayable due to the lack of funds to cover the amounts written on the checks.
4. WHETSTONE recruited individuals to open new checking accounts at various banks with a nominal amount of money.
5. WHETSTONE directed the individuals to write checks drawn on the newly opened accounts to purchase goods from retailers and stamps from U.S. Post Offices, knowing that there were insufficient funds in the accounts.
6. WHETSTONE directed the individuals to write checks only at U.S. Post Offices and specific retailers he identified, typically different branches of large chain stores such as Menards and Costco.

7. WHETSTONE directed the individuals to purchase specific goods for specific amounts.

8. WHETSTONE also personally purchased goods from the retailers.

9. WHETSTONE directed the individuals to provide the stamps and goods they purchased with checks drawn on accounts with insufficient funds to him and K.B., or to other persons. WHETSTONE told the individuals that he would pay them cash for their work.

10. K.B. would often meet the individuals at the retailer in a vehicle with room for hauling the goods purchased.

11. K.B. sold at least some of the goods and stamps purchased with checks drawn on accounts with insufficient funds online on the website offerup.com.

12. WHETSTONE and K.B. defrauded the retailers and U.S. Post Offices of more than \$200,000 as part of the scheme.

OVERT ACTS

WHETSTONE and K.B. accomplished and caused the accomplishment of at least one of the following overt acts:

1. On or about July 27, 2019, K.B. listed 100 rolls of stamps for sale on the website offerup.com for \$2,700.

2. On or about November 12, 2019, K.B. picked up F.W. at a Menards in Davison, Michigan, after F.W. purchased items from the store using a check from an account with insufficient funds.

3. On or about May 29, 2021, while residing in Grand Rapids, Michigan, WHETSTONE sent a text message to a person to recruit that person to go “on a shopping spree” and to provide the items purchased to a “fence.”

4. On or about May 29, 2021, while residing in Grand Rapids, Michigan, WHETSTONE sent a text message to K.B. directing him “to open a simple account for” a third person and to “mail it to that address.”

5. On or about May 30, 2021, while residing in Grand Rapids, Michigan, WHETSTONE sent a text message to a person to recruit that person to go “on a shopping spree” and to provide the items purchased to a “fence.”

6. On or about June 3, 2021, while residing in Grand Rapids, Michigan, WHETSTONE sent a text message to a person to recruit that person to go “on a shopping spree” and to provide the items purchased to a “fence.”

7. On or about June 3, 2021, D.A. purchased \$5,500 in stamps from a Post Office in Peoria, Illinois, using a check from an account with insufficient funds.

8. On or about June 3, 2021, D.A. sent a package to “Q.M.” using a commercial interstate carrier. D.A. shipped the package from Illinois to an address in Oak Park, Michigan.

9. On or about June 5, 2021, D.A. purchased \$12,650 in stamps from a Post Office in Peoria, Illinois, using a check from an account with insufficient funds.

10. On or about June 7, 2021, D.A. sent a package to K.B. using a commercial interstate carrier. D.A. shipped the package from Illinois to an address in Flint, Michigan.

11. On or about June 8, 2021, D.A. sent a package to K.B. using a commercial interstate carrier. D.A. shipped the package from Illinois to an address in Flint, Michigan.

12. On or about June 9, 2021, G.K. purchased \$8,250 in stamps from three Post Offices in Normal, Bloomington, and Morton, Illinois, using checks from an account with insufficient funds.

13. On or about June 9, 2021, G.K. sent a package to “K.B.” using a commercial interstate carrier. G.K. shipped the package from Illinois to an address in Flint, Michigan.

14. On or about June 10, 2021, while residing in Grand Rapids, Michigan, WHETSTONE sent a third person a text message that contained the words “Macbook” and “Overnight” and the first initial and last name of K.B., and an address in Flint, Michigan.

15. On or about June 10, 2021, G.K. purchased \$1,650 in stamps from a Post Office in Bloomington, Illinois, using a check from an account with insufficient funds.

16. On or about June 10, 2021, G.K. sent a package to K.B. using a commercial interstate carrier. G.K. shipped the package from Illinois to an address in Flint, Michigan.

17. On or about June 10, 2021, G.K. sent a package to “Q.M.” using a commercial interstate carrier. G.K. shipped the package from Illinois to an address in Oak Park, Michigan.

18. On or about June 18, 2021, “Q.M.” sent a package to a business called “Sell Unused Stamps” using a commercial interstate carrier. The package was shipped from an address in Detroit, Michigan, to an address in Clovis, California.

19. On or about July 6, 2021, while residing in Grand Rapids, Michigan, WHETSTONE sent a text message to a person to recruit individuals to go “on a shopping spree” and to provide the items purchased to a “fence.” WHETSTONE also sent a series of text messages to the person to recruit that person to recruit others to purchase goods as part of the scheme, and attached a series of receipts to those messages that he described as “examples of some light work done last month.” The receipts included those for the \$5,500 and \$12,650 purchases of stamps described above.

20. On or about December 1, 2021, WHETSTONE wrote a check to Costco, at a warehouse in Grand Rapids, Michigan, in the amount of \$1,274.09, to purchase various items, including an iPad Pro. The check was drawn on an account with insufficient funds.

18 U.S.C. § 371

COUNTS 2–4
(Wire Fraud)

The Grand Jury re-alleges the allegations contained in Count 1 as if fully set forth herein. Between approximately July 2019 and December 2021, in Kent County, in the Western District of Michigan, Southern Division, and elsewhere, the defendant,

MARVIN DESHAWN WHETSTONE,
a/k/a “Shawn,”

devised and intended to devise a scheme to defraud the United States Postal Service and various chain retailers, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

The scheme consisted of the defendant opening, or causing others to open, checking accounts with a minimal amount of money. The defendant would then write, or cause to be written, thousands of dollars of checks drawn on the bank accounts, which, as the defendant knew, had insufficient funds, to purchase stamps and other property.

The defendant and K.B. would then sell the stamps and other property to third parties to obtain money.

The defendant and his co-conspirators knowingly sent text and multimedia messages as a part of the scheme, including messages with instructions for carrying out the scheme and images of receipts of the purchases made with checks from accounts with insufficient funds.

On or about each of the dates set forth below, in Grand Rapids, in the Western District of Michigan, the defendant,

MARVIN DESHAWN WHETSTONE,
a/k/a “Shawn,”

for the purpose of executing the scheme described above, and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

<u>Count</u>	<u>Date</u>	<u>Description</u>
2	May 29, 2021	Text message to recruit another person to purchase items using checks from an account with insufficient funds and to provide those items to a “fence”
3	June 3, 2021	Text message to recruit another person to purchase items using checks from an account with insufficient funds and to provide those items to a “fence”
4	July 6, 2021	Text message to recruit another person to purchase items using checks from an account with insufficient funds and to provide those items to a “fence”

18 U.S.C. § 1343

A TRUE BILL



GRAND JURY FOREPERSON

ANDREW BYERLY BIRGE
United States Attorney



JUSTIN M. PRESANT
Assistant United States Attorney